

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

EDUARDO ALFARO, #1831129

VS.

DIRECTOR, TDCJ-CID

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CIVIL ACTION NO. 4:16cv542

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Kimberly C. Priest Johnson. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the court.

It is therefore **ORDERED** that Petitioner Eduardo Alfaro's Motion to Withdraw Petition for Writ of Habeas Corpus (Dkt. #9) is **GRANTED** and the case is **DISMISSED** without prejudice. Fed. R. Civ. P. 41(a)(1). All motions not previously ruled on are hereby **DENIED**.

SIGNED this the 9th day of January, 2017.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE